



Atty. Dkt. No. 051448-0206

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gil DUDKIEWICZ et al.

Title: SYSTEM AND METHOD FOR  
CREATING AND EDITING A  
VIEWER PROFILE USED IN  
DETERMINING THE  
DESIRABILITY OF VIDEO  
PROGRAMMING EVENTS

Appl. No.: 09/992,414

Filing Date: 11/16/2001

Examiner: Jason P. Salce

Art Unit: 2611

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV445623219US July 6, 2005

(Express Mail Label Number)

(Date of Deposit)

Richard Ruggiero

(Printed Name)

*Richard Ruggiero*

(Signature)

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

07/11/2005 SSITHIB1 00000140 09992414

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180.00 OP

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

**RELEVANCE OF EACH DOCUMENT**

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language document has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

**FEE**

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 6 July 2005

By Ronald Coslick

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gil Gavriel Dudkiewicz Examiner: Jason P. Salce  
Serial No.: 09/992,414 Group Art Unit: 2611  
Filed: November 16, 2001 Docket: 051448-0206  
Title: SYSTEM AND METHOD FOR CREATING AND EDITING A VIEWER PROFILE  
USED IN DETERMINING THE DESIRABILITY OF VIDEO PROGRAMMING  
EVENTS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as Express Mail (EV445623219US) with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria VA 22313 on July 6, 2005

By: \_\_\_\_\_

*Richard Ruggiero*  
Richard Ruggiero

Commissioner for Patents  
Alexandria, VA 22313  
Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement Transmittal (in duplicate)
- ☒ Form PTO/SB/08
- ☒ Cited References (5)
- ☒ Copy of European search report
- ☒ Return postcard

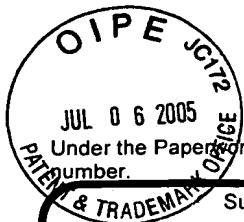
Please charge any fees associated with this transmittal to Deposit Account No 50-0872. A duplicate of this sheet is enclosed.

Date: July 6, 2005  
FOLEY & LARDNER LLP  
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By: \_\_\_\_\_

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RC/rsr



MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted July 6, 2005

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

|                        |                        |
|------------------------|------------------------|
| Application Number     | 09/992,414             |
| Filing Date            | 11/16/2001             |
| First Named Inventor   | Gil Gavriel DUDKIEWICZ |
| Group Art Unit         | 2611                   |
| Examiner Name          | Jason P. Salce         |
| Attorney Docket Number | 051448-0206            |

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Document |   | Name of Patentee or Applicant of<br>Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|----------------------|---|--|--|--|
|                       |                          | Number               | Kind<br>Code <sup>2</sup> (if<br>known) |  |  |  |
|                       | A1                       | 5,924,090            |   | Krellenstein                                       | 07/13/1999   |  |
|                       |                          |                      |   |  |  |  |
|                       |                          |                      |   |  |  |  |
|                       |                          |                      |   |  |  |  |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or<br>Applicant of Cited Documents | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|-------------------------|---------------------|--------------------------------------|---|--|--|----------------|
|                       |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |   |  |  |                |
|                       | A2                       | WO                      | WO 99/29108         |                                      | GTE Laboratories, Inc.                              | 06/10/1999   |  |                |
|                       | A3                       | WO                      | WO 01/73599         |                                      | Koninklijke Philips<br>Electronics N.V.             | 10/04/2001   |  |                |
|                       | A4                       | EP                      | EP0774868A1         |                                      | Thomson Consumer<br>Electronics, Inc.               | 05/21/1997   |  |                |
|                       | A5                       | JPO                     | 2000175141          |                                      | Hitachi Ltd.  | 06/23/2000   |  | Abs            |
|                       |                          |                         |                     |                                      |   |  |  |                |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the<br>item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s),<br>publisher, city and/or country where published. | T <sup>6</sup> |
|-----------------------|--------------------------|--|----------------|
|                       | A6                       | European Search Report dated April 7, 2005 – European Application Number: 02791233.6   |                |

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.